

<p>CITY OF SAN JOSÉ, CALIFORNIA Department of Planning, Building and Code Enforcement 801 North First Street, Room 400 San José, California 95110-1795</p> <h2 style="margin: 20px 0;">STAFF REPORT</h2>	Hearing Date/Agenda Number P.C. 12/11/02 Item 4.b.
	File Number PDC 02-077
	Application Type Planned Development Rezoning
	Council District 3
	Planning Area Central
	Assessor's Parcel Number(s) 249-44-101

PROJECT DESCRIPTION	Completed by: John Davidson
Location: Northeast corner of East Julian and North First Streets (320 North First Street)	
Gross Acreage: 0.6	Net Acreage: 0.6 Net Density: 63 DU/AC
Existing Zoning: LI Light Industrial	Existing Use: Vacant surface parking lot
Proposed Zoning: A(PD) Planned Development	Proposed Use: Up to 38 single-family attached residential units

GENERAL PLAN	Completed by: JED
Land Use/Transportation Diagram Designation Residential Support for the Core (25+ DU/AC)	Project Conformance: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING	Completed by: JED
North: Office	LI Light Industrial
East: Office (Hensley Historic District)	LI Light Industrial and A(PD) Planned Development
South: High Density Residential	A(PD) Planned Development
West: High Density Residential	A(PD) Planned Development

ENVIRONMENTAL STATUS	Completed by: JED
<input checked="" type="checkbox"/> Environmental Impact Report certified 4/27/99 <input type="checkbox"/> Negative Declaration circulated on <input type="checkbox"/> Negative Declaration adopted on	<input type="checkbox"/> Exempt <input type="checkbox"/> Environmental Review Incomplete

FILE HISTORY	Completed by: JED
Annexation Title: Original City	Date: March 27, 1850

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION		
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Approval with Conditions <input type="checkbox"/> Denial	Date: _____	Approved by: _____ <input type="checkbox"/> Action <input type="checkbox"/> Recommendation

APPLICANT/OWNER	DEVELOPER
The Redevelopment Agency of the City of San Jose 50 West San Fernando Street, Ste. 1100 San Jose, CA 95113	Regis Homes c/o Paul Ring

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: JED

Department of Public Works

See attached memorandum.

Other Departments and Agencies

See attached memoranda from Fire Department, Police Department, Environmental Services Department, and Historic Landmarks Commission (HLC).

GENERAL CORRESPONDENCE

Letters from Robert Mezzetti

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The City Council, acting as Redevelopment Agency Board, has selected Regis Homes to develop the subject Agency-owned site with high-density housing. Regis is proposing a Planned Development Rezoning to allow up to 38 for-sale single-family attached dwelling units in a four story structure on a 0.6 acre site at the northeast corner of East Julian and North First Streets within the Downtown Frame area.

The proposed rezoning will establish allowable uses, project density, and development standards and regulations, including height limits, setbacks, parking requirements, and environmental mitigation. The site is within the permitting jurisdiction of the Planning Director, and so a Planned Development (PD) permit for final architectural design and detailing based upon the proposed rezoning will be processed by Planning staff.

The subject site is currently used for surface parking. The site is immediately west of the Hensley Historic District (see Attachment) and three Contributing Structures (31, 33, and 37 East Julian Street) within the District.

Surrounding uses include the high density three to four-story Villa Torino apartments to the west across North First Street, The Plaza, a high density three and four story condominium project to the south across East Julian Street, the Santa Clara County Law Library to the north. The aforementioned historic Victorians currently used as offices are to the east.

The project's unit mix includes two one-bedroom units and 36 two-bedroom units. Project parking occurs in a two-level garage (at-grade and basement). The project also includes an interior courtyard area. The building is finished in stucco with a sloped, standing seam metal roof, and metal-framed windows. The parking garage is accessed from East Julian Street, while the primary pedestrian entrance is at the corner of North First and Julian Streets.

The project applicant is proposing a total of 73 parking spaces, in excess of the 38 parking spaces required for the project.

The applicant proposes private open spaces for 50% of the units, in contrast to the guideline that all living units have a minimum of 60 square feet of private open space. This is supported by staff given the urban nature of the project and the limited size of the site, and is consistent with recent high-density residential projects in, or near, the Downtown Core.

ENVIRONMENTAL REVIEW

The environmental impacts of this project were addressed by a Final SEIR entitled, "Downtown Strategy Plan," and certified on April 27, 1999, by the City of San Jose City Council. Additional site-specific environmental analysis has been completed for the project, including preparation of a noise report, tree survey, and soils report. Mitigation measures identified in these reports have been incorporated into the project, so that the project will not have an unmitigated environmental impact.

GENERAL PLAN CONFORMANCE

The proposal is consistent with the San Jose 2020 General Plan Land Use/Transportation designation of Residential Support for the Core (25+ DU/AC), in that the density is 63 DU/AC. This designation is for high-density residential uses to create a balanced community for the urban core of San Jose.

Development within this category is intended to expand the potential for residential developments in close proximity to central area jobs, and to create new consumer markets in the Downtown area. The General Plan Urban Design policies favor downtown as the location for high rise residential development and long range redevelopment of the Core Area. High rise residential development at high densities is encouraged in the downtown whenever possible. The project site is located within the Downtown Frame Area where the maximum residential building height is 120 feet. The proposed project supports implementation of the Downtown Revitalization and Housing Major Strategies of the General Plan.

The General Plan encourages new development to be designed with sensitivity to the historic character of existing structures. General Plan Cultural Resource Policy No. 5 states that new development in proximity to "designated historic landmark structures" should be designed to be compatible to the historic resource. The adjacent structures at 31, 33, and 37 East Julian are Contributing Structures to the City Landmark Hensley Historic District. The proposed project conforms to the General Plan with regard to historic resources in that the project has been substantially redesigned from the original submittal to be sensitive and compatible to the adjacent converted residential structures.

ANALYSIS

The primary project issue is the project's compatibility with the adjacent historic structures to the east. There are three main issues in relation to the proposed project's compatibility with the neighboring historic structures at 31, 33, and 37 East Julian Street:

- a) the proposed side setback adjacent to the Mezzetti Building (31 East Julian Street),
- b) the proposed front setback along E. Julian Street, and
- c) the massing, articulation and overall style of the proposed building in relation to the Mezzetti Building and the adjoining Hensley Historic District.

Side Setback. The proposed side setback for the Regis project from the Mezzetti Building is 13 feet. The side setback of the Mezzetti Building from the property line is approximately 5 feet, and so the total distance between the proposed project and the existing building is 18 feet. This 13-foot setback is in conformance with the Residential Design Guidelines, which requires podium structures to be set back at least 10 feet from the property line. This setback prevents the 55-foot height (four stories) of the proposed project from looming over the 2-½ story Mezzetti Building. The design of the building façade and landscaping will be refined at the PD Permit stage. Staff's expectation is the building wall will be well articulated and complemented by interesting, attractive landscaping.

Julian Street Setback. The project proposes a reduced setback from that found on the north side of Julian Street in the vicinity of the site. The historic structures at 31, 33, and 37 East Julian Street, and the Villa Torino project, across North First Street, are set back approximately 34'. This setback is specific to these three properties, and is unusually large for an urban area. The proposed minimum project setback from East Julian Street is zero, so that a portion of the project facing Julian Street would be separated from the street by only a 12-foot public sidewalk. At the eastern end of the project frontage, the applicant has revised the original design, and is proposing an 18-foot setback from the building wall to act as a transition between the historic buildings and the proposed project. The applicant is also proposing to set the fourth story of the eastern side of the building back 31 feet from the street, comparable with the 34-foot setback of the Mezzetti Building. The proposed design modifications will result in the loss of two units.

Staff understands the owners of the Mezzetti Building have expressed reservations about the proposed front setback, and have requested that the developer set the proposed project back at least 30 feet from the property line. The applicant has attempted to respond to these requests through the redesign of this project.

Staff believes it is excessive and unrealistic to require a 30-foot setback from Julian Street. The site is a relatively small, infill parcel within a highly urban setting. The primary planning goal for the site is to achieve high density housing, while still respecting the scale of surrounding development. Requiring a 30-foot setback (effectively 42 feet from Julian Street when the public sidewalk is included) would frustrate this goal and severely limit the development potential of the site, such that the cost to the project in terms of lost units would far outweigh the setback's benefit. The historic structures at 31, 33, and 37 East Julian Street will remain visible from North First Street, and staff believes the revised project design provides an adequate transition along the Julian Street frontage.

Project Design. The proposed building is modern in style, with definite residential elements. The roof forms are hipped, and residential in character. Residential features, such as balconies, trellises, and chimneys, are readily apparent. The stucco and brick siding are a definite contrast with the wood siding of the Mezzetti Building and the adjacent Hensley Historic District. The applicant is proposing composition shingle roofing, which is similar to the roofing material used on the Mezzetti Building.

The windows are large, with a number of windows extending between two floors, in contrast to the smaller windows on the adjacent Mezzetti Building.

As viewed from Julian Street, the massing of the Regis project is divided into two halves by the entry stair and the project courtyard. The project architect has redesigned the eastern half of the project in response to neighborhood concerns. The eastern half of the building now has two separate three-story projections that are similar in height and bulk to the twin houses next door. These projections are set back 18 feet from the property line. This massing of the proposed project is similar to the articulation of the twin buildings immediately adjacent to the project. In addition, arbors at the second floor of these units echo the porches of the neighboring historic buildings.

The four-story elements of the eastern half of the proposed project are set back 31 feet, which is comparable to the 34-foot setback of the Mezzetti Building.

Along N. First Street, and at the corner of N. First and Julian Streets, the building edge will be built at zero setback. As a consequence, the building's eaves will encroach into the public right-of-way. The eaves will encroach approximately three feet into the right-of-way at the third floor level. Planning staff supports this encroachment, given the urban nature of this project, and the dwelling unit densities that the General Plan requires. Because this encroachment will occur over the sidewalk at the third floor level, it should have no effect on public infrastructure, the flow of traffic, or the provision of emergency services. Given the overall quality of the design, staff does not support redesign of the project to prevent encroachment of the eaves into the public right-of-way.

Although the project is definitely modern in terms of the massing and details, it is also distinctively residential. Looking at the project as a whole, the architecture is larger and more imposing than the adjacent historic homes, which is to be expected with an infill project at the edge of the City's downtown core. The height is mitigated by the proposed 31-foot setback of the fourth story next to the historic buildings, and the project's interior side yard setback. Overall, staff believes that the contrasting style of the proposed building is appropriate to distinguish the new project from the adjacent historic structures.

The Historic Landmarks Commission (HLC) considered the project design and its compatibility with the adjacent historic structures on December 4, 2002. The comments from this meeting are attached.

COMMUNITY OUTREACH

A public hearing notice for the project was published in a local newspaper and mailed to all property owners and tenants within 500 feet of the subject site. A community meeting was held November 6, 2002. The primary topics of discussion were compatibility of the project with the adjacent Mezzetti Building and the adjoining Hensley historic district. Neighbors expressed concern about the proposed setback of the project along Julian Street, and expressed a desire for the project to match the Mezzetti Building's 34-foot front setback. Neighbors also expressed concerns about the proposed design, and expressed a desire for a project with details similar to those found in the Hensley.

RECOMMENDATION

Planning staff recommends the Planning Commission forward a recommendation of approval and the City Council approve the project for the following reasons:

1. The proposed project is in conformance with the General Plan Land Use Designation of Residential Support for the Core (25+ DU/AC).
2. The project has been designed to be compatible with adjacent properties, including the historic Mezzetti Building.
3. The project provides parking in excess of the one parking space required per unit.

c: Paul Ring, Regis Homes
Craig McCafferty, Redevelopment Agency